

Message Text

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SUBJ: UAE LABOR LAW SHELVED A SECOND TIME

REF: 75 ABU DHABI A-63

1. BEGIN UNCLASSIFIED: AFTER SUFFERING A HUMILIATING DEFEAT LAST FALL, THE UAE MINISTRY OF LABOR TRIED AGAIN TO PUSH FEDERAL-WIDE LABOR LEGISLATION THROUGH THE INCREASINGLY FRACTIOUS AND RECALCITRANT FEDERAL NATIONAL ASSEMBLY. TWO MONTHS OF DEBATE FOLLOWED THE REINTRODUCTION OF THE DRAFT LAW, WITH UAE BIG GUNS SUCH AS THE HIGHLY RESPECTED LABOR UNDER SECRETARY SULTAN BIN KHALIFA (DUBAI) AND THE MINISTER OF STATE FOR FOREIGN AFFAIRS, SAIF GHOBASH, TESTIFYING IN FAVOR OF THE LAW AND PATIENTLY EXPLAINING ITS PROVISIONS TO ASSEMBLY MEMBERS.

2. THE DRAFT LAW WAS AN OMNIBUS LEGISLATIVE PIECE. THE 122 ARTICLES ORGANIZED IN 13 CHAPTERS REPRESENTED CONSIDERABLE RESEARCH INTO ILO AND ALSO RECOMMENDATIONS ALONG WITH THE PRACTICES OF OTHER ARAB STATES. IT WOULD HAVE ESTABLISHED IN ONE STROKE A LEGAL FRAMEWORK FOR ALMOST EVERY FACET OF EMPLOYER-LABOR RELATIONSHIPS. THE LAW WOULD HAVE SET

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MINIMUM WAGES, ESTABLISHED RIGHTS FOR WOMEN, SET

STANDARDS FOR EMPLOYMENT OF JUVENILES, WORK SAFETY REQUIREMENTS AND COMPENSATION FOR ON-THE-JOB INJURIES. SIGNIFICANTLY LAW, WHILE CONTINUING BANS ON LABOR UNIONS AND STRIKES, WOULD HAVE AUTHORIZED "EMPLOYEE ORGANIZATIONS" AND ESTABLISHED ARBITRATION PROCEDURES FOR WORK DISPUTES.

3. FEDERAL ASSEMBLY WAS APPROVING LAW ON ARTICLE-BY-ARTICLE BASIS AND WAS TWO-THIRDS FINISHED WHEN DEPUTIES FROM RAS AL-KHAIMAH (RAK) RAISED OBJECTION THAT LAW PROVIDED BETTER TREATMENT FOR FOREIGNERS THAN LOCALS. FOREIGN-HIRED EMPLOYEES, PARTICULARLY "WHITE COLLAR WORKERS" RECEIVE BETTER SALARIES IN ADDITION TO HOUSING, FURNITURE, TRANSPORTATION AND LEAVE BENEFITS. RAK DEPUTY SAEED DARWISH DEMANDED THAT NATIONALS MOVING FROM ONE EMIRATE TO THE OTHER RECEIVE SAME BENEFITS AS FOREIGN EMPLOYEES. BETTER YET, HE SAID LABOR MINISTRY SHOULD FOLLOW RECOMMENDATION OF ASSEMBLY'S ECONOMIC AND SOCIAL AFFAIRS COMMITTEE AND SUBMIT TWO LAWS - ONE FOR FOREIGNERS, ANOTHER FOR LOCALS. AS RESULT OF DARWISH'S HARANGUE, FURTHER DEBATE ON LAW HAS BEEN INDEFINITELY POSTPONED. DEFEAT APPEARED TO COME AS SURPRISE AND WAS WIDELY PUBLICIZED IN ABU DHABI ARABIC AND ENGLISH LANGUAGE PRESS.

3. BEGIN LOU: COMMENT: WHILE ANTI-FOREIGN SENTIMENTS, AS VOICED BY DARWISH, MAY BE CAUSE FOR LAW'S DEFEAT, OTHER UNDERCURRENTS UNDOUBTEDLY PRESENT. LAW WOULD HAVE, AT LEAST ON PAPER, SIGNIFICANTLY BROADENED UAE AUTHORITY IN AREA WHICH TRADITIONALLY HAS BEEN LEFT TO EMIRATE REGULATION. RAS AL-KHAIMAH, AT LEAST AS MUCH AS DUBAI, IS STRONGLY RESISTING DIMINUATION OF INDIVIDUAL EMIRATE POWERS IN FAVOR OF THE FEDERATION. JUST AS ZAYED HAS HAD TO ACCEPT DEFEATS IN SUPREME COUNCIL OF RULERS IN ATTEMPTING TO STRENGTHEN FEDERATION, ACTION BY DEPUTIES FROM RAK IN SUCCESSFULLY HAMSTRINGING AN ESSENTIAL PIECE OF UAE LEGISLATION, IS FURTHER REFLECTION OF DIFFICULTIES FACED BY PRO-FEDERATION FORCES. END LOU.
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